

AMENDED IN SENATE APRIL 13, 1998

SENATE BILL

No. 1681

Introduced by ~~Senator Greene~~ Senator Karnette
(Coauthor: Assembly Member Kuykendall)

February 17, 1998

An act to ~~add Sections 35739 and 35753.5 to the Education Code,~~ relating to school district reorganization.

LEGISLATIVE COUNSEL'S DIGEST

SB 1681, as amended, ~~Greene~~ Karnette. School district reorganization: ~~Grant Joint Union High School District Palos Verdes Peninsula Unified School District.~~

~~Existing law requires each county committee on school district organization to formulate, under the direction of the State Board of Education, plans and recommendations for the organization of the districts in the county or any portion thereof. Existing law requires each proposal for the reorganization of school districts to include a computation of the base revenue limit per unit of average daily attendance for the districts and authorizes plans and recommendations to include provisions concerning voting, trustee areas, division of property and obligations, and methods of dividing bonded indebtedness.~~

~~Existing law authorizes the State Board of Education to approve proposals for the reorganization of districts if the board determines, with respect to the proposal and the resulting districts, that certain conditions are met.~~

~~This bill would authorize the Sacramento County Committee on School District Reorganization, in preparing a~~

~~plan and recommendations on the reorganization of the Grant Joint Union High School District, and the State Board of Education, in deciding whether to approve a proposal to reorganize the Grant Joint Union High School District, to consider criteria and circumstances it determines are necessary and desirable may differ from criteria and circumstances for reorganization that may otherwise be required to be met.~~

~~This bill would state that the Legislature finds and declares that a special law is necessary because of certain unique circumstances pertaining to the Grant Joint Union High School District.~~

Existing law prescribes the procedure to reorganize school districts including the filing of a petition with the county superintendent of schools by specified persons, including a majority of the members of the governing board of each district that would be affected by the proposed reorganization. Existing law authorizes a county committee, for certain petitions, to transfer territory, to approve the petition and if approved, to notify the county superintendent of schools, who shall call an election in the territory for the districts as determined by the county committee, except as specified.

Existing law authorizes certain provisions to be included in plans and recommendations for the reorganization of school districts, including a provision specifying the territory in which the election to reorganize the school districts will be held. Under existing law, if the plans and recommendations do not specify that territory, the election is required to be held only in the territory proposed for reorganization.

Existing law specifies the circumstances under which the State Board of Education may approve proposals for the reorganization of school districts. After the board has approved plans and recommendations for the unification or other reorganization of school districts in any area, the secretary of the board is required to give notice to a specified county superintendent of schools. Within 20 days of receiving that notification, the county superintendent of schools is required to call an election, as specified, in the territory of the districts as determined by the State Board of Education.

This bill would, notwithstanding existing law pertaining to the reorganization of school districts, transfer the area of Eastview in Los Angeles County, which is currently part of the Los Angeles Unified School District, to the Palos Verdes Peninsula Unified School District of which it would become a part. The bill would require, commencing in the 1998–99 school year, all pupils from the area of Eastview to be enrolled in the Palos Verdes Peninsula Unified School District as their school district of residence, except as specified. The bill would make a declaration of special circumstances in that regard. The new duties imposed on the affected school districts by this bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1.—Section 35739 is added to the Education~~
2 *SECTION 1. (a) Notwithstanding the provisions of*
3 *Chapter 3 (commencing with Section 35500) and*
4 *Chapter 4 (commencing with Section 35700) of Part 21 of*
5 *the Education Code or any other provision of law, the*
6 *area of Eastview in Los Angeles County, which is*
7 *currently part of the Los Angeles Unified School District*
8 *and which includes within its boundaries the Crestwood*
9 *Street Elementary School and Dodson Middle School, is*
10 *hereby transferred to, and is a part of, the Palos Verdes*
11 *Peninsula Unified School District.*

1 ***(b) All pupils whose parents or legal guardian reside***
2 ***in the area of Eastview shall, commencing in the 1998–99***
3 ***school year, be enrolled in, and shall thereafter continue***
4 ***to be enrolled in, the Palos Verdes Peninsula Unified***
5 ***School District as their school district of residence;***
6 ***provided, however, that any pupil from the area of***
7 ***Eastview, who attended a school in the Los Angeles***
8 ***Unified School District in the 1997–98 school year, may***
9 ***continue to attend school in the Los Angeles Unified***
10 ***School District upon written request by the pupil’s parent***
11 ***or guardian.***

12 ***(c) Any school facility belonging to the Los Angeles***
13 ***Unified School District that is located in the area***
14 ***transferred pursuant to subdivision (a) shall remain the***
15 ***property of the Los Angeles Unified School District. The***
16 ***status of an employee as an employee of the Los Angeles***
17 ***Unified School District shall not be affected by the***
18 ***employee’s assignment to the area transferred pursuant***
19 ***to subdivision (a).***

20 ***(d) Residents of the area transferred pursuant to***
21 ***subdivision (a) shall be eligible to vote in any election***
22 ***held by the Palos Verdes Peninsula Unified School***
23 ***District and not in any election held by the Los Angeles***
24 ***Unified School District.***

25 ***(e) For the purposes of this section, the following are***
26 ***the boundaries of the area in Eastview in Los Angeles***
27 ***County: begin at the southeast corner of Tract #19028 as***
28 ***shown on map filed in book 587, pages 83 and 84, of maps***
29 ***in the office of the Recorder of the County of Los Angeles,***
30 ***said corner being angle point in the boundary of the City***
31 ***of Rancho Palos Verdes as same existed on November 1,***
32 ***1978; thence northerly along the boundary of the City of***
33 ***Rolling Hills Estates as same existed on said date to its first***
34 ***intersection with the boundary of the City of Lomita as***
35 ***same existed on said date; thence easterly along said less***
36 ***mentioned boundary and following the same in all its***
37 ***various courses to the intersection of the northerly line of***
38 ***Lot 1 of Tract #3192 as shown on map filed in book 44,***
39 ***pages 91 to 94, inclusive, of said maps and the centerline***
40 ***of Western Avenue as shown on map filed in book 77,***

1 *page 88, of record of surveys, in the office of said recorder;*
2 *thence southerly along said centerline and continuing*
3 *southerly along the centerline of Western Avenue as*
4 *shown on map of Tract #24436 filed in book 653, pages 96*
5 *to 100, inclusive, of said maps to the centerline of*
6 *Westmont Drive as shown on map of parcel map #5375*
7 *filed in book 63, pages 92 and 93, of parcel maps in the*
8 *office of said recorder; thence continuing southerly along*
9 *the centerline of Western Avenue as shown on said last*
10 *mentioned map a distance of 67 feet; hence easterly at*
11 *right angles from said last mentioned centerline a*
12 *distance of 50 feet to the northerly terminous of that*
13 *certain course having a bearing and length of N1343 feet*
14 *42 inches East along that certain 27 foot radius curve in*
15 *said last mentioned boundary of the City of Rancho Palos*
16 *Verdes, hence northerly along said last mentioned*
17 *boundary to the point of beginning.*

18 *SEC. 2. The Legislature finds and declares that, for*
19 *Section 1 of this act, a special law is necessary and that a*
20 *general law cannot be made applicable within the*
21 *meaning of Section 16 of Article IV of the California*
22 *Constitution because of the unique circumstances of the*
23 *area of Eastview. The facts constituting the special*
24 *circumstances are these:*

25 *The residents of the area of Eastview in Los Angeles*
26 *County are part of the community of the City of Rancho*
27 *Palos Verdes, as that area was annexed to that city in 1983.*
28 *Thus, the residents of that area should be allowed to*
29 *participate in the events and activities that surround that*
30 *community, including those that are sponsored by the*
31 *Palos Verdes Peninsula Unified School District. The*
32 *school district boundaries were not changed in 1983 when*
33 *the city boundaries were changed which resulted in*
34 *leaving the residents of the area of Eastview within the*
35 *boundaries of the Los Angeles Unified School District and*
36 *thereby with a different academic and recreational*
37 *schedule than the community in which they actually*
38 *reside. Therefore, it is the intent of the Legislature to*
39 *grant to residents of the area of Eastview the right to*

1 enroll their children in the school district of the
2 community that they belong to and identify with.

3 SEC. 3. Notwithstanding Section 17610 of the
4 Government Code, if the Commission on State Mandates
5 determines that this act contains costs mandated by the
6 state, reimbursement to local agencies and school
7 districts for those costs shall be made pursuant to Part 7
8 (commencing with Section 17500) of Division 4 of Title
9 2 of the Government Code. If the statewide cost of the
10 claim for reimbursement does not exceed one million
11 dollars (\$1,000,000), reimbursement shall be made from
12 the State Mandates Claims Fund.

13 Notwithstanding Section 17580 of the Government
14 Code, unless otherwise specified, the provisions of this act
15 shall become operative on the same date that the act
16 takes effect pursuant to the California Constitution.

17 Code, to read:

18 ~~35739. When preparing a plan and recommendations~~
19 ~~on the reorganization of the Grant Joint Union High~~
20 ~~School District, the Sacramento County Committee on~~
21 ~~School District Reorganization may consider criteria and~~
22 ~~circumstances that it determines are necessary and~~
23 ~~desirable although they may differ from criteria and~~
24 ~~circumstances for reorganization that may otherwise be~~
25 ~~required to be met.~~

26 SEC. 2. ~~Section 35753.5 is added to the Education~~
27 ~~Code, to read:~~

28 ~~35753.5. Notwithstanding subdivision (a) of Section~~
29 ~~35753, in deciding whether to approve a proposal to~~
30 ~~reorganize the Grant Joint Union High School District,~~
31 ~~the State Board of Education may consider criteria and~~
32 ~~circumstances that it determines are necessary and~~
33 ~~desirable although they may differ from criteria and~~
34 ~~circumstances for reorganization that may otherwise be~~
35 ~~required to be met.~~

36 SEC. 3. ~~The Legislature finds and declares that a~~
37 ~~special law is necessary and that a general law cannot be~~
38 ~~made applicable within the meaning of Section 16 of~~
39 ~~Article IV of the California Constitution because of the~~
40 ~~unique circumstances of the Grant Joint Union High~~

1 ~~School District. The facts constituting the special~~
2 ~~circumstances are the difficulty in reaching a consensus~~
3 ~~among the parties interested in the reorganization of the~~
4 ~~Grant Union High School District that has resulted in the~~
5 ~~failure of six reorganization ballot proposals since World~~
6 ~~War II and the removal of the last proposal from the ballot~~
7 ~~by action of the Sacramento Superior Court.~~

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